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New York

President	Mr. Lavrov	(Russian Federation)
Members	Argentina	Mr. Cappagli
	Bangladesh	Mr. Anmed
	Canada	Mr. Heinbecker
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Theron
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Biden

Agenda

The situation in Bosnia and Herzegovina

Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137).

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00-79170 (E)

The meeting was called to order at 10.15 a.m.

The President (*spoke in Russian*): I should like to acknowledge the presence at the Council table of Senator Joseph R. Biden, in his capacity as deputy representative of the United States on the Security Council. On behalf of the Council, I extend a warm welcome to him.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137)

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Bosnia and Herzegovina, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Prica (Bosnia and Herzegovina), took a seat at the Council table.

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Mr. Klein to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina, document S/2000/1137.

At this meeting, the Security Council will hear a briefing by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. I give him the floor.

Mr. Klein (*spoke in French*): It is a pleasure for me to be here to introduce the report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH). Considering the principal responsibility of the Security Council for the maintenance of international peace and security, I should like, before turning to the specific activities of UNMIBH, to offer my comments on the important changes that have recently occurred in the Balkan region.

Last month, the commemoration of the fifth anniversary of the signing of the Dayton Accords coincided with the clear resurgence of nationalist parties in the sixth series of elections organized since the end of the war. Those who had defended the holding of perpetual cycles of elections as a panacea to confronting the challenges of democratization are now reconsidering the relevance of turning to democratic procedures before democratic values are established.

(*spoke in English*)

Having spent five years implementing peace in the Balkans, I do not share the pessimism of some commentators, for three reasons. I believe that we have an historic opportunity to put a close to a tragic decade. We need to seize that opportunity and not be deterred by short-term developments.

First, the democratic changes in Croatia and Yugoslavia are of fundamental significance. For a decade, nationalist regimes in Belgrade and Zagreb have torn Bosnia and Herzegovina apart. Despite their signatures on the Dayton Accords, the regimes in Zagreb and Belgrade did everything they could to frustrate its intentions.

As recently as April 1999, in a tape recorded conversation, President Tudjman instructed President Jelavic to pretend to cooperate with the international community and to never let on that the goal remained partition. President Milosevic encouraged Serbs to view the Republika Srpska as a separate State and used

it to evade sanctions. Both States treated indicted war criminals as heroes and gave them refuge. Both gave military and financial support to separatist, partitionist forces.

In my recent meetings with each of them, President Mesic, Prime Minister Racan and President Kostunica have all confirmed their intention to take a new path based on respect for the sovereignty of Bosnia and Herzegovina. For Croatia, this means ending direct financial assistance to covert parallel Croat structures and channelling support in a way that enhances state institutions. For Yugoslavia, it means quickly normalizing bilateral relations and exchanging ambassadors as a first step towards addressing outstanding bilateral issues.

There will be challenging times ahead and difficult decisions to be made as we seek to drive the process forward without overloading nascent democratic forces that have not yet been able to consolidate their hold over the institutions of Government. Nonetheless, I believe that after the forthcoming elections in Serbia, the time will be right to seek to put trilateral relations on a new footing by inviting the Presidents of Yugoslavia and Croatia to meet with their counterparts in Sarajevo. I would hope that members of this Council would support such an initiative.

My second cause for optimism is that we now have a clear commitment by the members of the European Union (EU) to south-eastern European integration. The EU roadmap, as highlighted at the recent Zagreb summit, and the Stability Pact, despite its slow start, for the first time give the people of the region a credible destination in a European home. It should be recognized that the Dayton Accords addressed the internal and constitutional dimensions of statehood, but were not a regional context. European integration was the missing political construct, without which regional stability could not be achieved. In many senses, Europe has now taken up where Dayton could not go.

The challenge here is to make the promise of Europe credible to the common people. They are sceptical, thinking that the international community may leave the work unfinished and that they will remain in a Balkan no man's land, marginalized from mainstream Western development and fought over and preyed upon by nationalist, extremist and criminal interests. This is why I have been advocating at least one concrete step, such as membership in the Council of Europe, as tangible proof that we are committed to their future.

My third point is that even though progress has been frustratingly slow, much has been achieved to build the infrastructure of a State that can function in a European context. We should not underestimate the magnitude of the task we undertook and the commitment we promised five years ago.

In the fall of 1995, Bosnia and Herzegovina was a wasteland of human tragedy and destruction. Half the pre-war population — some 2.2 million people — were refugees or internally displaced persons. During three and a half years of violent ethnic cleansing, more than 200,000 people died. The economic infrastructure, the housing stock and the religious and cultural objects of an ethnically and culturally diverse land had been purposefully destroyed. Not a family was left unscathed.

Rebuilding the physical and social infrastructure was never going to be cheap or easy. We committed ourselves to the task not only for humanitarian reasons but also because, politically, Bosnia and Herzegovina cannot be relegated to a mere footnote in the Balkans or in Europe. Three times in the past century it has necessitated massive international intervention. It remains the historical, religious and ethnic fault line that can again rupture regional stability. And it is the only State from the former Yugoslavia that is in any way multi-ethnic.

Against this background, I was neither surprised nor am I unduly concerned that the nationalist parties preserved their positions in the recent elections. Their relatively weak showing in the April municipal elections shocked them into mobilizing their old system of patronage and local media control to boost voter turnout in their favour. They spent enormous sums of money, very little of which was accounted for.

The election results were not entirely negative. Major non-nationalist parties consolidated their positions and, in theory at least, could form a grand coalition that does not include the three main ethnic parties. The real disappointment is that after five years of intensive international engagement, a sizeable proportion of the population continues to support those who led them into war but who cannot lead them into Europe.

There are some lessons to be learned from these elections. We have made our task more difficult by not having acted robustly against the criminality and corruption that have sustained the nationalist elites. For the past five years, the only engine of economic growth in Bosnia and Herzegovina has been international assistance, while nationalist parties have been able to plunder State assets. Resistance to the creation of a State Border Service and to economic reforms, such as privatization of public companies, is most accurately explained on criminal, not political grounds.

I welcome the High Representative's focus now on economic reform and institution-building, but I am convinced that we would have made greater progress had we robustly tackled crime and corruption earlier, including through a more intrusive police and judicial mandate. This is why I have voiced concern about achieving a seamless transition from UNMIBH's judicial system assessment programme to its successor body in the Office of the High Representative.

It could also be argued that the international community has been overly conservative in how we have implemented the Dayton Accords. We have paid a very high price for our timidity in not arresting indicted war criminals in the early days of the North Atlantic Treaty Organization intervention. Their continued presence undermines the establishment of the rule of law, inhibits inter-ethnic reconciliation, prevents the victims and their families from reaching psychological closure and holds back the political future of the region.

I am pleased to be able to say that over the next 18 months, the Law Enforcement Personnel Registry that UNMIBH has established will ensure that there are no war criminals in the local police forces. But until Karadzić and Mladić are brought to justice, there will remain a dark shadow over everything we are trying to do. Ultimately, we cannot absolve the innocent until we punish the guilty.

Finally, the efforts of the international community have often languished through conflicting political messages, uncoordinated projects and failure to follow through, which have been used by obstructionists to their advantage. This is the price of having different bodies mandating different organizations under a loose coordinating authority.

As we take stock of what remains to be done at a time of shrinking resources and competing regional priorities, some rationalization and consolidation of the international presence in Bosnia and Herzegovina should not be ruled out. Diminishing resources must be used to greater effect. This means displaying far greater resolve and unity of effort. The dramatic changes in South-Eastern Europe have given us the opportunity and the necessity to re-evaluate our strategies and synchronize our operations on a national and regional basis. In this regard, the European States must play a key role.

Turning now to the specific role and work of UNMIBH, the Secretary-General's report summarizes the achievements of a Mission that is fully engaged, dynamic and results-oriented. We have broken new ground not only in what we do, but also in how we do it. The Mission stands at a point where we can see the end in sight, but we do not have the financial resources to get there.

Let me summarize quickly what we have done.

We have achieved the transformation and reduction of police forces from 40,000 wartime personnel in 1996 to under 20,000 today.

Over 95 per cent of these police personnel have undergone transitional and human-dignity training courses to ensure understanding of human rights. Specialized training has been conducted in drug control, organized crime and crowd control.

The Law Enforcement Personnel Registry has been established to register and conduct background checks on all police personnel. Phase 1 of this project will be completed this month. It identifies every police officer, where they came from, their ethnic group and their experience and qualifications. In phase 2, we will be able to weed out personnel who are suspected of war or other crimes. The Registry is also the basis for determining the ethnic composition of the police forces.

Full freedom of movement is now taken for granted. The numbers of refugees and displaced persons have increased dramatically. In the first 10 months of this year, over 46,000 minority returns have been registered — twice the number of last year. The number of return-related incidents, although still unacceptably high, has decreased in most areas, as a result of UNMIBH training and guidance for the local police.

Major steps have been taken towards changing the ethnic composition of the local police forces to give confidence to returnees. Over 550 cadets, most of them members of minorities, have entered or completed training at the two multi-ethnic police academies, in Sarajevo and Banja Luka.

The agreement reached this year with both entities on voluntary redeployment of minority police officers to return to their pre-war places of employment has started to bear fruit. In another innovation, the first refresher courses for pre-war police have begun. The unified multi-ethnic Brcko police service has been inaugurated and functioned responsibly during pre-election riots.

Following two years of obstructionism and delay, on 6 June UNMIBH inaugurated the State Border Service at Sarajevo airport. I will return to this point later.

In response to the alarming statistics on the number of illegal migrants transiting Bosnia and Herzegovina on their way to other parts of Europe, we have initiated a joint task force on illegal immigration and organized crime through the Cooperative Law Enforcement Arrangement between entity Ministries of Interior.

Substantial progress has been made in the integration of the Federation Ministry of Interior and the Ministries of Interior in mixed Croat/Bosniac cantons. Our target now is to establish unified budgets and complete physical co-location of ministries.

The police commissioner project is making good progress. Its aim is to reduce political interference in police work and to institute a single chain of command in police forces.

The formerly separate Bosniac and Croat specialized police forces in the Federation have been integrated and trained for crowd control and major-incident management.

The excellent judicial system assessment programme, which was terminated on 1 December 2000, completed 14 major reports on the systemic deficiencies of the legal and judicial system.

The first Bosnia and Herzegovina multi-ethnic United Nations Civilian Police contingent of 12 is performing well in East Timor. A second contingent of 23 officers, including one woman, is now being deployed. And the first nine military officers will be ready next month for deployment as United Nations military observers to Eritrea and Ethiopia.

The progress made by the Mission has enabled us to think about an end point. With this in mind, we have prepared, as an internal and evolving document, a plan for the completion of our core mandate. The Mandate Implementation Plan is a realistic attempt to identify specific objectives for the tasks given to us by this Council and to translate them into realistic programmes and projects that are achievable, provided that we have the necessary resources and a political environment conducive to that work.

In fact, one of the driving forces behind the creation of the Plan was to give donors a comprehensive overview of the requirements of the Mission and, upon completion of the programmes, a clear measure of the results of their contributions. This is critical, given the expansion of peace operations and the necessity of prioritizing programmes that require donor support.

Our vision for the state of local police forces in December 2002 takes into account the legacy of war, current political conditions, rational expectations of the population, local policing traditions and the aspirations of Bosnia and Herzegovina to join the European family of nations. The intention is to address the three levels of law enforcement in democratic societies, namely, the individual police officer, the institution of law enforcement and the relationship between law enforcement agencies and civil authority and society.

Mandate implementation does not attempt to prejudge the decisions of the Council on the duration or the substance of the mandate of the UNMIBH. At six-month intervals, and particularly towards the end of 2002, the Mission will evaluate the completion of its goals. Every effort will have been made to maximally achieve all areas of the core mandate and to have established self-sustaining mechanisms and institutions to achieve long-term and ongoing goals such as a full minority representation. All of this is dependent on UNMIBH having the resources to do the job. Allow me to briefly highlight the key areas where mandate implementation risks becoming stalled because of major resource shortfalls.

Rapid establishment of control over State borders is the key to the consolidation of sovereignty, territorial integrity and international personality in Bosnia and

Herzegovina, including with respect to its neighbours. The multi-ethnic State Border Service, which UNMIBH had been tasked to establish, is the first State-level rather than entity-level executive agency and an integral part of the international objectives of institution-building. More concretely, full deployment of the State Border Service is absolutely essential to combat organized crime, illegal migration, customs evasion and trafficking in human beings and illicit drugs.

At Sarajevo airport alone, we have documented over 21,300 people this year who are suspected of having entered the country in order to illegally migrate to European States. The number of illegal migrants apprehended in Croatia has nearly doubled to 18,000 this year, and the number of victims of trafficking has also increased. In November alone, 50 women and girls were freed from brothels and assisted in repatriation to their home countries.

With the resources available to us until now, we have established a 400-person State Border Service deployed at three land crossings, one airport and a national headquarters, but we need the help of the Council and we need funding. However, as of today, we are unable to hire candidates for 900 positions which will result in a coverage of 60 per cent of the border. Under the best possible circumstances, which include the release and utilization of all previous donor pledges, the projected budget for 2001 will not even cover the salaries for these additional staff, let alone equipment and operating costs. I sincerely urge all potential donors, particularly the European States and institutions, for which an effective State Border Service is a cost-efficient preventive investment, to support the rapid deployment of this essential State institution.

A second deep concern is the lack of funding for housing reconstruction for minority police. Here we are victims of our own success. This year we have broken through all the political obstacles to the deployment of minority police. Their presence in the areas of return is a vital confidence- and security-building measure to encourage others to return. If we agree that the ability of people to return to their homes is the litmus test of the Dayton Accords, then support for minority police housing must be at the top of our priorities. At present we have over 200 minority police ready to go home, but no funding to assist them. I am deeply concerned that this entire project may falter over this single issue.

Finally, there is the legacy of Srebrenica. Five years on, after the infamous massacre of over 7,000 men and boys, the area of Srebrenica remains a tragic and desolate place. The decision on a permanent burial site for the victims has removed a major psychological impediment, but substantial assistance is required to create the semblance of normal life. Serb displaced persons currently living there need political and financial assistance to be able to go home, thus releasing housing for Bosniacs to return. The infrastructures in Srebrenica municipality have not been repaired since the war, and investment is required for job creation to support those who are returning and those who wish to stay.

I believe we all have a solemn moral responsibility to assist the people of Srebrenica, and after five years the opportunity to make a difference is now before us. In cooperation with the international organizations on the ground in Srebrenica, we are preparing a comprehensive plan to address the many urgent needs. It is our hope that the relevant donors will allow us to use the United Nations Trust Fund resources for these purposes.

(*spoke in French*)

May I close this presentation by paying tribute to the men and women who are working in the service of UNMIBH. It is their work that makes our Mission successful. Day by day the 93 nationalities of which UNMIBH is composed represent a model of what can be accomplished when men and women of goodwill are prepared to work together for a common cause.

I am particularly happy that China is planning to make available to UNMIBH police officers and a diplomat. This bears witness to the constant support that the members of the Council give to UNMIBH. Please rest assured that we will continue to work hard to deserve your confidence.

The President (*spoke in Russian*): I thank Mr. Klein for his detailed and frank briefing.

Mr. Biden (United States of America): It is an honour and a pleasure for me to be here today. The United Nations is held in great esteem by the American people and, notwithstanding what the Council has heard, by the vast majority of the members of the United States Congress. I, for one, hold it in the highest esteem, and that is why I deem it such a great honour to represent my Government today.

One of the items that are on the minds of many Americans today is not my presence here at the Security Council but the Supreme Court of the United States. As I told the Ambassador of Malaysia earlier, we may be appealing the election to the Security Council, so I hope you are all ready to vote today. I will make a case for one of the candidates, but I will hold off on that right now. One of our colleagues suggested that the Organization for Security and Cooperation in Europe (OSCE) should come in and oversee our election process, but I can assure you that the Cubans have already made an offer, so we are in good shape.

I guess I should not be so facetious before such an august body, but we Americans today are waiting with bated breath to see what our Court does, and I can assure you all that, whatever the Supreme Court of the United States decides, both political parties will accept, and accept without hesitation, and we will move forward.

I should like to begin by commending the Special Representative of the Secretary-General, Mr. Klein, for his report and his leadership as head of the United Nations Mission in Bosnia and Herzegovina, in particular the Mission's International Police Task Force, the IPTF, which, I might add, in the Congress in which I serve was one of the single most significant and important institutional initiatives with officers from 45 countries, that I thought had to be taken. It deserves our praise for its important work in building an integrated, multi-ethnic police force.

In view of the complex situation in Bosnia and Herzegovina, we must begin with a strikingly positive reality. Bosnia and Herzegovina is at peace thanks to the efforts first of the Implementation Force (IFOR) and then the Stabilization Force (SFOR), both led by the North Atlantic Treaty Organization (NATO). I have witnessed firsthand the excellent cooperation between Russian and American troops in northern Bosnia, something I quite frankly, as a member of the United States Senate for over 28 years, I was not sure I would ever witness. I witnessed it, and it was heartening.

We should not minimize the achievement of the SFOR peacekeepers. During the war, more than 200,000 citizens of Bosnia and Herzegovina, the vast majority of them civilians, perished. More than 2 million were made homeless, and countless numbers of all three communities — Bosniac, Serbian and Croatian — were tortured, raped and otherwise brutalized. And today, despite sporadic acts of violence under the security umbrella of 20,000 SFOR troops, most citizens of Bosnia and Herzegovina no longer live in daily fear for their lives. Shell-shocked cities like Sarajevo have come back to life, and small-scale commerce has been revived. Visitors, as I have been on a number of occasions, encounter a sense of normalcy in most areas. I repeat: this is a major achievement.

Nonetheless, Bosnia and Herzegovina remains a country with many challenges to overcome. With a renewed and more vigorous engagement by the international community, and above all by SFOR, by the High Representative and by the United Nations, I am confident that each of the challenges, all of which have been laid out by Special Representative Klein, can be met.

I had planned on speaking in more detail about Bosnia and Herzegovina, but Mr. Klein has done it so well I would only be repetitive. I would like to suggest, though — and this is one of the lessons I hope we have learned from Bosnia and Herzegovina — that, first and foremost, every mission must have a clear, credible and achievable mandate. This was not the case with the United Nations Protection Force, and it is the case with SFOR in Bosnia and the Kosovo Force (KFOR) in Kosovo. After a clear and achievable mandate is decided upon, the military chain of command, in our opinion, should never include a United Nations civilian officer.

Secondly, the peacekeeping troops have to be given rules of engagement that enable them adequately to defend themselves and that give the people they are supposed to protect confidence to believe they will be protected. UNPROFOR peacekeepers were saddled with very restrictive rules of engagement. It is no one's fault. It is a lesson I hope we have learned. But saddling them in the way we did resulted in many of the Blue Helmets being taken hostage by Bosnian Serbs and in the incredibly difficult, if not impossible, position that the Dutch were placed in Srebrenica. Guarantees of safety of civilians entrusted to them in a United Nations safe haven were not able to be fulfilled. We should not repeat that grave mistake, and we have not repeated that with SFOR or KFOR.

Thirdly, when peacekeeping operations are being formed, United Nations Member States should be permitted to contribute troops only if they are able to

commit to equip them adequately. Many Council members visiting Bosnia several years ago witnessed what I did, with troops literally being put in jeopardy of freezing in the winter. Never again must we witness Blue Helmets nearly freezing to death in harsh winter conditions, or any such situations around the world.

Fourthly, I think the Mission will require more thorough training of personnel and must consist of several types of peacekeepers. The skills they need include many of those of normal combat troops, ones that they are not trained to have. Civilian police and judicial functions have been proving to be fundamental to peacekeeping operations, as Mr. Klein has indicated. An immediate layer between combat forces and police, such as international specialized units in Bosnia, is an important element of any operation, I would respectfully suggest, in the future.

Fifthly and finally, our experience in Kosovo has revealed the inadequacy of the current peacekeeping structures. The Secretariat was unable to respond with the resources of expertise that Mr. Kouchner needed to fill the mandate he was given. Furthermore, there were delays in getting police from donor countries and in setting up courts, banks, schools and hospitals. The United Nations must, in our view, redesign its peacekeeping structure to prevent such mishaps from recurring. I need not recommend to any of you the Brahimi report, the implementation of which we think is badly needed.

The international mission in Bosnia and Herzegovina is an ambitious but necessary, often frustrating but eminently doable, requirement. Extending the zone of stability throughout the Balkans is of vital importance not only to the entire European continent, but also to the continued credibility of this Organization. For SFOR or the United Nations to disengage before our goals are accomplished would only guarantee renewed violence and a much more costly re-entry in the future. We must stay the course and prevail, regardless of how long it takes.

I would add that we agree fully with Mr. Klein's suggestion in his report that the events in the remainder of the region, particularly recently in Croatia and the Federal Republic of Yugoslavia, give us reason for much more hope. Those changes, along with the European commitment to the stability fund, as well as the genuine, I think, recognition of the need to integrate the Balkans into Europe, ultimately hold, in our view, the final key.

What I had planned on doing was talking more in detail about the report, as I suggested, but it has been suggested that, in the light of the detail into which Mr. Klein has gone, I speak to one other issue which I am sure is on members' minds: the attitude of the next presidential Administration and the next Congress towards what is referred to, at least in our country, as the Helms-Biden amendments that were passed and the Helms-Biden legislation.

In my 27 years of service in the United States Senate, I have been a steadfast supporter of the United Nations, and throughout my career I have worked with my fellow members of Congress to ensure a bipartisan approach to our international policy. I am confident that many of my colleagues join me in the call for a better, more active relationship between the United States and the United Nations. But have no doubt, the United States wants to be a part of the solution for strengthening the United Nations. I know many of you have privately and personally entreated me to determine whether or not there is likely to be any change in the attitude of the United States Congress or the next Administration, with regard to Helms-Biden. The answer is no, there is not likely to be at all.

The majority of the members of Congress believe in, and intend to continue to support, the objectives outlined by the President of the United States and other world leaders at the United Nations Millennium Summit. However, we will not be able to participate fully if the United Nations membership fails to come together and update the regular budget scales and does not adopt a more rational peacekeeping scale. Specifically, the United States is committed to seeking a regular budget ceiling of 22 per cent this year and a reduction in our peacekeeping contribution from 30 per cent.

I know Ambassador Holbrooke and other members of the United States Mission have discussed the details of our position with everyone in this forum, as well as in other committees of the United Nations, in some detail. The fact of the matter is that Congress has expressed it clearly and by an overwhelming vote, and I hope that it has been understood not as an American diktat, but as an effort to help fix a problem. As a co-author of this legislation — and some of you know that had I been Chairman of the committee and were I in a

position to get the funding from the United States and movement on the arrearages — I do not believe we should have made a connection between the reforms and the United States keeping its commitment.

But, quite frankly, my view is not a majority view. What was done was done, and now we are saddled, and in a sense we have saddled you with having to focus on so-called reforms. I do not think we would ever reach an agreement and begin to pay off our arrearages had we not settled on the Helms-Biden approach within my organization, the United States Congress. I have to say that when the Secretary-General visited Washington three years ago to discuss the issue with me and other members of Congress, they were made aware of our dilemma.

So here we are: $100 million in payments have already been made and more than half a billion dollars more are ready for disbursement, but it will require work by all of us. This is in addition to the billion-dollar increase that the United States Congress has agreed to move on this year for the United Nations.

We seek a two-way street where the United States commits to paying its arrears, while at the same time the United Nations accepts the need for major reform. For more than 50 years now the United States has been by far the largest single contributor to this Organization, and though we may not always see eye to eye on every United Nations issue, this does not mean that we are about to walk away from the table. All of us are here today because we need the United Nations. The United States needs the United Nations. At the same time, we also need to be more effective, relevant and just.

In 1946 Arthur Vandenberg, one of my most esteemed predecessors, came to this forum and stated,

> "We believe that a ceiling upon contributions for basic administrative expenditures should be placed at some reasonable point. I would be less than frank if I did not say that the failure to do so may risk a reaction which could one day jeopardize the stable and progressive development of this entire Organization."

While many changes have taken place between Senator Vandenberg's call for reform and my own, one thing most definitely has not changed: the United States continues to believe that United Nations stability and development will require every Member's voice to be heard and will require each of us to play his or her proper role in supporting the Organization. But the burden must be more broadly shared if the Organization is to develop and progress.

As I said, members should not think that our focus on assessment issues means that the United States is walking away from the United Nations. On the contrary: the United States Government is in the process of committing nearly $3.5 billion to the United Nations in the year 2001, and that includes record levels of voluntary contributions and a 71-per-cent increase in the agreed congressional appropriations for peacekeeping. We want to continue that impressive record in the future — I personally want to continue that record.

Moreover, the United States agrees that, as a permanent member of the Security Council, we have a special obligation to this institution, and we hope that the other four permanent members also join us in bearing that responsibility — which they do. Clearly, the poorest countries cannot and must not be held to the same assessment rates as the industrial Powers. We believe, however, that the financial burden of the United Nations must be shared, and that a handful of countries cannot be expected to go it alone.

Together with my colleagues in the United States House of Representatives and Senate, I am concerned that the reform efforts may fail. That would seriously jeopardize the financial base of the United Nations and could destabilize the United States-United Nations relationship. As a long-time supporter of the United Nations, I believe it is critical that this issue be resolved now. It should not cast a shadow over the relationship of the United Nations with the next United States Administration. A negative outcome might have a devastating impact on any efforts within the United States Government to promote development aid and to garner more resources for peacekeeping. And I want to make it clear that I am saying this as a friend of the United Nations and as one who believes that we must continue to move to pay our arrearages.

I anticipate responses to the views I am expressing on this issue, and I do not mean to suggest that I do not realize that there are other points of view — and compelling points of view — held by members of the Security Council.

I want to take note of some positive indications of change and to say that I am truly pleased to see real and lasting reforms under way in this body; I believe that these will help permanently re-centre support for the United Nations within the United States Congress. In the interests of time, I will forgo speaking of this.

Let me turn finally to the peacekeeping issue. I know that my time is limited, but I want to make some brief comments concerning United Nations peacekeeping operations, recognizing that financial reforms are only part of the changes needed by the United Nations. Ambassador Brahimi and the expert Panel on United Nations Peace Operations have produced a courageous and, we believe, far-sighted report on how to reform United Nations peacekeeping operations.

The report (S/2000/809) clearly indicates that the threat of personal danger has not prevented thousands of men and women from participating in United Nations peacekeeping operations during the past 50 years. Sadly, a number have given their lives in the service of peace, as did those in East Timor and Sierra Leone recently; we honour their memory. At the same time, the report acknowledges that the United Nations must do a better job in preparing and implementing its peacekeeping mission. I ask all members of the Council to join in supporting the need to reform and strengthen that critical function. Peacekeeping is a shared task for ever Member and, without the help of all, countries in crisis will not get the help they need; and, when they do, our peacekeepers will be put at unacceptable risk.

The Secretary-General has been particularly helpful in this discussion, and I am sorry that I am not able today to thank him personally for his efforts. However, it seems fitting that he is right now in Algeria attending the signing of a formal peace agreement between Ethiopia and Eritrea. I commend him for his statements to the General Assembly, in which he said that sovereign boundaries would no longer provide a defence for madmen who wanted to exterminate their own populations. That was visionary — indeed, revolutionary. Perhaps it sprang from the tragedy in Rwanda; it should serve as a warning to the despots of the world.

I know that the task of the Security Council is a daunting one, and I know that the task of the rest of the membership is equally difficult in terms of determining how to address some of the issues I have raised. But we must never lose sight of our obligation to, as the Charter charges us, maintain international peace and security. Yes, we need greater emphasis on development, but we cannot address development without peace and security. The financial and peacekeeping reforms now being discussed will go a long way towards ensuring that we meet our commitment — and, quite frankly, that my Government meets its commitment.

I conclude by saying that we badly need the United Nations. It would be presumptuous of me to suggest that the United Nations needs us, but I would suggest that, at a minimum, it is probably useful to have us. Quite frankly, my ability and the ability of Ambassador Holbrooke and his successor to ensure that the United States meets its obligations will require that there be changes along the lines of the Helms-Biden amendment. Again, if I had been the one able to dictate the outcome in the United States Congress, no conditionality would have been attached, but there still would have been a call for the same reforms that are in that legislation.

I thank the Council for its indulgence, and I thank the Council for the opportunity and the honour of speaking before this body.

Mr. Cappagli (Argentina) (*spoke in Spanish*): I am grateful for the report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137) and for the oral briefing by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. We are grateful also for the statement just made by the representative of the United States.

As we have said on other occasions, the rule of law is a prerequisite of stable peace. For that reason, the progress made by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in fulfilling its mandate is of great importance.

With respect to the police, I wish to highlight, among other positive elements, the professionalism with which the police acted during the general elections held on 11 November and on the fifth anniversary of the Srebrenica massacre. It is also encouraging that the political and administrative obstacles to the recruitment of police officers from among minorities have been overcome.

Turning to the judicial system, we view as appropriate the decision of the High Representative, Mr. Wolfgang Petritsch, to create an Independent Judicial Commission to assume many of the functions of the UNMIBH judicial system assessment programme. But in our view, it is unsatisfactory that the new Commission can begin to function only after that programme comes to an end is not satisfactory. Also of concern are the difficulties, particularly financial difficulties, facing the establishment of a police mechanism for the protection of judges and witnesses.

Given the magnitude of the problems facing Bosnia and Herzegovina in the areas of illegal migration, trafficking in human beings and the trade in stolen goods, it is obvious that the State Border Service must function fully with adequate human and financial resources. Here, we agree with the Secretary-General that investment in that Service is an essential preventive measure.

The return of refugees and displaced persons is undoubtedly another precondition for stable and lasting peace. We therefore view as a positive sign the progress made during the past year on the return of members of minorities. The other side of that coin is the lack of housing, as well as the existence of illegally occupied housing and the unprofessional behaviour of local police in incidents related to the return of members of minorities. Clearly, a great deal remains to be done before the Dayton Agreements are fully implemented.

On a previous occasion, we supported the idea of setting the deadline of December 2002 for the conclusion of UNMIBH's activities, as long as internal or external circumstances do not change. If it is the mission's understanding that it can, without difficulty, fulfil its mandate with 1,850 International Police Task Force officers, we will support the adoption of such a measure.

As for the presence of the Stabilization Force, as a contributing country, we believe, together with the Secretary-General, that a review of its presence or mandate must be conducted in the light of UNMIBH's security requirements.

In conclusion, we would like to reiterate our conviction that peace and reconciliation will be tangible in Bosnia and Herzegovina only when its people and, in particular, its leaders, truly understand that differences can also form the basis for building a State.

Mr. Levitte (France) (*spoke in French*): I should like to welcome Senator Biden. Like all members of the Council, I am pleased to see him sitting at the table. We welcome him to the Security Council. He is sitting in the midst of an Organization that is doing better. We have a Secretary-General whose exceptional success is acknowledged by all. We had a Millennium Summit that charted a course for the future. Reforms are under way. Senator Biden mentioned the reforms proposed by the Brahimi Panel. Those reforms are important if we want peacekeeping operations to be successful. For that to be possible we need a little money, which means an increase in the United Nations budget.

We pay tribute to the commitment and generosity of the United States. I took note of the figure of $3.5 billion that the Senator put forward for next year. He should know that other countries are also generous. The 15 countries of the European Union, which, like the United States, have approximately 29 per cent of gross national product worldwide, will give $4.5 billion to the United Nations — about $1 billion more than the United States. We will talk about this issue more during the course of the day. All of the countries of the European Union want an agreement — a good agreement — on the two United Nations budgets. We will be tackling these negotiations in a constructive spirit in the conviction that agreement will be possible next week if everyone around the table demonstrates flexibility.

I shall now turn to the briefing given by Mr. Jacques Klein. I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — as well as the associated countries, Cyprus and Malta, align themselves with this statement.

I should like first of all to thank Mr. Jacques Klein for his statement, which, as always, was remarkably precise, well-structured and replete with instructive ideas for the future. He very usefully supplemented the comments made by the Secretary-General in his report.

The Special Representative of the Secretary-General clearly demonstrated — if there was any need to do so — the extent to which the active support of the

international community is crucial for the consolidation of the rule of law, the development of good governance and the strengthening of stability in South-Eastern Europe.

It is with this in mind that the European Union has, for 10 years, been providing massive aid to the countries of the Balkans. If we add up development assistance, budget financing and humanitarian aid, between 1991 and 1999, more than $15 billion have been allocated to these countries by the European Union and its member States. This figure represents more than 65 per cent of the total amount allocated by the international community to South-Eastern Europe. By comparison, the contribution of the largest non-European Union donor accounts for less than 3.5 per cent of the total. That difference is to be expected; it is natural that the countries of the European Union should accept to bear the bulk of this burden, as the situation is of primary concern to them.

The States members of the European Union have also taken into their territory hundreds of thousands of refugees driven from their countries by conflicts in the Balkans. Very large amounts of money were required to make that hospitality possible.

With regard to military personnel deployed on the ground, European Union member States supply 60 per cent of the troops in the Stabilization Force in Bosnia and Herzegovina and 63 per cent of the Kosovo Force troops. Again by way of comparison, personnel supplied by the State that makes the largest contribution — aside from the European Union — account respectively for 21 per cent and 17 per cent of the total number of those troops.

With regard to the civilian police, the Union has set itself the objective of being in a position, by 2003, to deploy up to 5,000 police officers in peace operations throughout the world. I believe that this is a very important point, and I am stressing it for the benefit of Senator Biden. One of the weak points of peacekeeping operations has often been the lack of police officers. Over the next three years, therefore, the European Union will be able to provide up to 5,000 police officers.

At this stage, for Bosnia and Herzegovina alone, as can be seen from the report of the Secretary-General under consideration today, 625 of the 1,776 members of the International Police Task Force of the United Nations Mission in Bosnia and Herzegovina are European Union nationals. This figure accounts for 35 per cent of the members of the Task Force.

At the political level, the European Union restated its commitments regarding South-Eastern Europe at the Zagreb Summit on 24 November. The final Declaration of the Summit, which was distributed as an official Security Council document, reaffirms the European perspective of the countries in the region participating in the stabilization and association process launched by the Union. This is true in particular for Bosnia and Herzegovina. Bosnia and Herzegovina will need to make the necessary adjustments in order to benefit fully from all of the opportunities offered by that stabilization and association process.

It is clear that the assistance provided by the international community in support of peace cannot alone resolve all the problems. It is in the interests of extremist nationalists to perpetuate a siege mentality and keep people locked into ethnic division. The yoke imposed by these men of the past must therefore be thrown off. During this year, through the ballot box, the Balkan peoples have made considerable progress along this path.

In Bosnia and Herzegovina, the effects of the democratic changes in the region will be positive, even if the multi-ethnic parties did not make the expected breakthrough in the recent general elections. However, in that country, much effort and determination on the part of the international community will be required before the anticipated outcome can be achieved.

In its field, UNMIBH is making an excellent contribution to this long-term endeavour. The United Nations Mission has an appropriate mandate. Under the leadership of the Special Representative of the Secretary-General, it is working effectively, in keeping with the very clear guidelines laid down in advance. I commend its work, which is totally satisfactory.

Within UNMIBH, the International Police Task Force is playing an essential role, and doing it very well. It is responsible in the first place for advising the local police, developing cooperation of the Bosnian police with the judicial system and seeing it through its transformation into a structure that fully respects democratic values. This mission is decisive. It contributes to the process of stabilizing the situation in Bosnia and Herzegovina as a whole. The confidence that Bosnian citizens can have in the institutions of

their country will largely depend on its success. We must therefore ensure that this task can be continued, without any interruption, until it is completed.

Another important police issue is the strengthening of the State Border Service. The report of the Secretary-General clearly describes the worrying increase in human trafficking and the increase in criminal activities of all kinds in Bosnia and Herzegovina. We must not give up when faced with this unacceptable situation. Resolute measures are expected of the Bosnian authorities to end it. In particular, the presence of State Border Service units should not be confined to only four points of entry into the country. Moreover, operations targeted against mafia networks and known sources of criminal activities must be stepped up.

Significant progress has been made in Bosnia and Herzegovina, but considerable challenges remain. Day after day, Mr. Jacques Klein and the entire UNMIBH staff work tirelessly to fulfil their mandate, so that these challenges can finally be met. I assure them once again of the European Union's encouragement and unanimous support in their continuing mission.

Sir Jeremy Greenstock (United Kingdom): I, too, warmly welcome the presence at this table of Senator Biden as the United States representative. It is extremely important for the Security Council and for the United Nations that he is here and that he has used the occasion to address us not just on the subject on the agenda, but also on the subject that will be uppermost in our minds between now and 22 December. I very much appreciate his approach to those particular difficulties. I share in their entirety the remarks of my French partner on the subject. And I believe that if the result of our negotiations on the scale revisions can encapsulate the fundamental intentions of the United States Congress and the fundamental intentions of the rest of the United Nations membership — and I believe they can — then we shall have achieved a remarkable step forward both for the United Nations and for the United States.

Since the Senator is here, I also want to pay tribute to the United States role on Bosnia over the past decade and his personal role in that. This subject, above all, has illustrated how much can go wrong when the United States is playing separately from the international community and how much can go right when we are all playing together.

The United Kingdom welcomes very much the Secretary-General's report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the Special Representative's briefing this morning. I pay a particular tribute to Mr. Klein and his team for what they are continuing to achieve in Bosnia. His leadership is extremely important to the objectives of the United Nations there.

I support and endorse the European Union statement just made by the French presidency, but I would like to make a couple of points in addition to reflect what I think, as Mr. Klein has said, is relative progress, but still progress that has flaws on the ground that have to be addressed.

My first point concerns the local police system. We welcome the contribution that UNMIBH has made so far in reforming the police system, to which the Special Representative has rightly devoted a great deal of attention, but we share the Secretary-General's concern about the slow pace of police reform in areas of the eastern Republika Srpska and in canton 10. We welcome the High Representative's recent decision to dismiss the canton 10 Minister of the Interior for repeated obstruction of reform.

We also applaud UNMIBH's efforts to highlight the scale of illegal immigration, but the results are still very disturbing. Illegal immigration and the associated corruption and organized crime have ramifications for all of Bosnia's European neighbours, including the United Kingdom. The ongoing challenge for Bosnia and Herzegovina is to build credible State-level institutions in order to combat the problems successfully. An effective State Border Service is a key part of the solution, and should remain a priority.

The rise of nationalist parties in the elections shows that there is no ground for complacency, as does the statistic that 62 per cent of Bosnia's youth wish to leave the country. The incoming authorities at entity and State level have a very serious challenge to meet in proving to the young people of Bosnia and Herzegovina that they do indeed have a future in the country of their birth.

Mr. Wang Yingfan (China) *(spoke in Chinese)*: On the fifth anniversary of the end of the war in Bosnia and Herzegovina, the Council's consideration of the situation in Bosnia and Herzegovina is of special significance. In the past five years, with the assistance of the international community, and with the joint

efforts of the three sides in Bosnia, the Peace Agreement is being implemented well.

Three elections have been conducted smoothly. Agencies at various leveis have been operating normally. The functions of a unified State have been enhanced. Economic rehabilitation and reconstruction have made considerable progress. The Chinese delegation welcomes all these positive developments.

I thank the Secretary-General for his report and the Special Representative, Mr. Klein, for his very detailed briefing. It is praiseworthy that good progress continues to be made in police reform and restructuring and in judicial reform. With the assistance of the local police and the International Police Task Force (IPTF), the elections of 11 November were conducted smoothly. We are very pleased to see that the practices of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and of the IPTF have produced very precious experience for peacekeeping operations undertaken by the United Nations.

Peace in Bosnia and Herzegovina was hard won. It is even more difficult to consolidate peace there. Five years after the achievement of peace in that country, it must be seen that progress in the implementation of the Peace Agreement has been slow — slower than the international community had expected, especially in the return of refugees. As stated in the report, the ability of refugees and displaced persons to return is the litmus test of the Peace Agreement.

Furthermore, there is still a lot of work to be done in the areas of enhancing self-governance capacity, national accord and reconciliation and post-war reconstruction. In this regard, I would like to underscore two points. First, achieving national accord and reconciliation between Muslims, Croats and Serbs, along with the restoration of confidence and common development, are fundamental prerequisites to achieving durable peace in Bosnia. We sincerely hope that the leaders of the three groups will put aside their past grievances and engage in genuine cooperation to rebuild the economy, reconstruct a unified country, and facilitate the return of refugees, minority refugees in particular. It is only by strengthening the economy and achieving social development that peace can be truly consolidated. This brings me to my second point, namely, that the international community should continue to provide assistance to Bosnia and Herzegovina while focussing its action on helping local people achieve self-governance.

Finally, I would like to thank Mr. Klein and his team for their contributions. China will continue to support the work of UNMIBH and the IPTF. As Mr. Klein has stated, the Chinese delegation has decided to provide police officers and a diplomat to the Mission.

I also wish to thank Senator Biden for the statement he has just made. I take particular note of his having reiterated the importance attached by the United States to the role of the United Nations. I have also noted his expression of the willingness of his country to strengthen its relations with the Organization, as well as his remarks regarding strengthening peacekeeping operations. It should be pointed out that the United Nations and the Security Council have achieved some common understanding with regard to peacekeeping.

Senator Biden also spoke of the two scales of assessment. This is, of course, not the subject under discussion today, but, because the Senator has come all the way from Washington, I would like to make a very brief comment about what he has just said. The majority of Member States believe that some adjustment should be made to the two scales of assessment. The key is how to make that adjustment. Most Member States also have a basic common understanding that both scales should reflect the capacity-to-pay principle. Many States are also of the view that this principle should be adhered to by all Member States of the United Nations. An ultimate decision on the two scales should be based on consultations by the members of the United Nations.

My colleague Ambassador Holbrooke has been exerting tireless efforts to that end, a fact well known throughout the Organization. I have full sympathy for the very difficult task that has been entrusted to him by the United States Congress. Despite all his efforts, many difficulties remain. I believe Ambassador Holbrooke needs the support and assistance of the Congress to overcome those difficulties.

I have also taken note of the views expressed by Ambassador Levitte. Achieving consensus requires that all sides demonstrate flexibility. I agree with Ambassador Levitte's view.

The next two weeks will therefore be a very crucial period. The Chinese delegation is willing to

work with other delegations. It is regrettable that, regardless of what happens, Ambassador Holbrooke will one day leave the United Nations. Of course, I hope he will do so in a very happy mood and with a smile on his face.

Mr. Ahmed (Bangladesh): Let me begin by extending a hearty welcome to Senator Biden, who is here with us today. Allow me also to thank Special Representative Jacques Paul Klein for his comprehensive briefing on the current situation in Bosnia and Herzegovina. The information he provided has been very helpful.

Against a backdrop of visible and encouraging signs of peace taking root in Bosnia and Herzegovina, the Security Council acted last June to extend the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) until 1 June 2001.

We note that the security situation has, to a large extent, stabilized; that the return of refugees and internally displaced persons is accelerating; and that elections have been conducted safely and successfully. The Special Representative of the Secretary-General suggested in the background information he gave that the end of 2002 should be the target date for the completion of UNMIBH's core mandates. In that context, we would like to make the following points.

I would first like to speak about overall progress. Progress in Bosnia and Herzegovina is linked to the region's development. With the changes in the political leadership in Croatia and the Federal Republic of Yugoslavia there have been significant new developments in the region this year. We are encouraged by the positive developments, and we hope that much faster progress will be achievable.

Secondly, I wish to mention State border services. The inauguration of the State Border Service at Sarajevo airport in June this year was a much awaited development. We have noted its usefulness and positive effects from the report of the Secretary-General. However, we are concerned that due to a lack of funding, the State Border Service cannot be extended beyond the current four points to the other eight points planned. As Bosnia and Herzegovina has become a major transit point of illegal migration, there is an urgent need to expand the State Border Service to assert control over trafficking in human beings and trade in illicit goods.

Thirdly, I wish to refer to refugees and internally displaced persons. We are encouraged by the accelerated return of refugees — including minorities — to their pre-war homes and the solving of a large number of property return and repossession cases. We appreciate the role of UNMIBH in supporting the return process. We note with concern that refugees and internally displaced persons are returning only to find that their homesteads have been destroyed or rendered uninhabitable during their absence. To sustain the current pace and increase the rate of return, the reconstruction of destroyed villages must be undertaken. This requires increased funding and support from the international community.

Fourthly, I wish to speak about the judiciary. The judicial system assessment programme (JSAP) of UNMIBH has produced a useful analysis and recommendations for improving the judiciary of Bosnia and Herzegovina, which was one of the Mission's major mandates. We believe that its report and recommendations will be invaluable in addressing the structural and procedural weaknesses, and that they will contribute to the improvement of the overall judicial process, including the independence of judges and prosecutors in Bosnia and Herzegovina.

Finally, we take note the signs of progress in Bosnia and Herzegovina, although the pace of that progress has been painfully slow. However, we would also like to keep in mind that it is extremely difficult to overcome age-old inter-ethnic tensions and come together in a useful partnership for nation-building after a series of major crises. We give much credit to the Bosnian leadership and the international community for whatever progress has been achieved. We believe that it will now be possible to pursue the goals at a much faster pace with the change in the political situation in the region.

Mr. van Walsum (Netherlands): My delegation would also like to welcome Senator Biden. We share the views expressed by the representatives of France and the United Kingdom, but we also share what Ambassador Greenstock termed the United States Congress' fundamental intentions with regard to United Nations reform. It is precisely because we do so that we always find it encouraging to hear Senator Biden admit that he is aware that a Member State of the United Nations cannot legally attach conditions to the payment of its financial contributions to the Organization.

We also welcome Mr. Klein, and we thank him for his interesting briefing. In that regard we subscribe to the statement of the representative of France, which was made on behalf of the European Union (EU). But because this is presumably the last time that the Netherlands can speak on this subject while on the Security Council, we would like to make a few additional comments.

Five years after Dayton we can only conclude that despite generous foreign aid, to the tune of $5 billion, both the political and the economic situations of Bosnia and Herzegovina are disconcerting. Senator Biden spoke of a strikingly positive reality: that is, Bosnia is at peace. Well, there is no more fighting, and the security situation is generally good. But the animosity among the three population groups has hardly subsided since Dayton. People are daily reminded of the war in a country where the borders of the entities reflect the military frontlines of 1995.

The Dayton Accords have granted important powers to the two entities. Among them, there is little willingness to cooperate to build strong State institutions. The recent elections, held on 11 November, were disappointing, in that they underlined how Bosnia and Herzegovina is divided along ethnic lines. Croats even took the opportunity to hold an illegal referendum about possible independence for their entity.

If I am not mistaken, I believe that in this Chamber, whenever Bosnia and Herzegovina is being discussed, most of the criticism is usually levelled at Republika Srpska. But the events I have just referred to, including the election results, have highlighted the unhelpful role played by the Croat side. It is difficult to be optimistic if only the Muslim population seems to take the State of Bosnia and Herzegovina really seriously.

Under Dayton the entities have received so many powers that the State institutions, such as the Prime Minister and the six ministries, are almost powerless in the face of regional ambitions. There is no political will among the leaders of the large parties to reinforce the institutions of Bosnia and Herzegovina.

The major problem, as we see it, is the virtual absence of State revenue. The State depends on financial transfers from the entities, and the entities keep these to a minimum. As a result, the State institutions are almost entirely financed by the international community.

The EU statement ends with a reference to considerable challenges that remain. I would like to conclude my statement with the same words.

Mr. Jerandi (Tunisia) (*spoke in French*): I would also like to welcome Senator Biden here among us, and I want to welcome Mr. Jacques Paul Klein, the Special Representative and Coordinator of the United Nations Operations in Bosnia and Herzegovina, and to thank him for his detailed and enlightening presentation. We are gratified that the report of the Secretary-General on the activities of the United Nations mission reflects that significant progress has been achieved in different fields during this recent period.

The positive evolution of the situation throughout the Balkans, as well as the tangible progress made in the principal areas of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), allow us to approach this issue with guarded optimism for the future of the region.

I want to congratulate UNMIBH on the plan of work it has just prepared. The six main programmes faithfully reflect the concern of the international community regarding the implementation of the Mission's mandate. In this respect it is worth emphasizing the need to involve all the parties in the development and implementation of this plan of work. The flexible and evolving nature of the document makes it possible to adjust the plan as necessary, on the basis of how the situation develops. It will also make it possible to assess, in accordance with the pre-established criteria, the progress that has been made, in order to optimize results. We support the UNMIBH programme, including the opinion of the Mission regarding the reduction in the personnel of the International Police Task Force.

The reform and restructuring of the police are essential in order to overcome fear and make it possible to build a multi-ethnic society. In this context, we support the efforts of UNMIBH to raise the norms of professional competence of the police and to modify its ethnic composition, so that it better reflects the multi-ethnic nature of Bosnian society. We also support the plan for establishing a single chain of command in the police organization chart, thus limiting political and partisan interference and promoting full respect for the law. We also want to express our concern at the

magnitude of the scourge of organized crime. We call for the taking of all necessary measures in order to put an end to these activities.

The independence and the impartiality of the judicial system are of primary importance to establishing confidence among the three Bosnian communities and to promoting national reconciliation. In our view, the reform of the judicial system should lead to the independence of judges, the protection of witnesses and the unified, integral and non-discriminatory application of legislation. In this connection we welcome the establishment of the Independent Judicial Commission charged with reforming the judicial system, coordinating international aid and designing specific programmes for the training of judges.

While we are gratified by the return of so many refugees and displaced persons, we must emphasize the lack of financial resources available to UNMIBH so that it could respond to the needs of refugees and displaced persons — in particular by continuing to rebuild damaged housing. The Office of the United Nations High Commissioner for Refugees estimated that, as of last August, 18,000 housing units would have to be rebuilt in order to continue the repatriation process. We also encourage UNMIBH to persevere in the strict application of property laws and to continue to ensure the security of the repatriated persons.

I would like, lastly, to reaffirm our support for the remarkable work that has been done by the United Nations agencies in Bosnia and Herzegovina. The programmes begun by these agencies will certainly have beneficial consequences for the overall process. In this respect, I would like to place special emphasis on the initiative of the United Nations Educational, Scientific and Cultural Organization to promote dialogue and interfaith tolerance, involving the leaders of the four major religious communities in the preparation of a project to reconstruct historic religious sites.

The inauguration of the commemorative monument and the permanent burial of the victims of Srebrenica will remain forever engraved in the memory of all Bosnians as a painful reminder of the past. It will be evidence of a new national reconciliation and a symbol of the triumph of reason over folly and of love over hatred for future generations.

In conclusion, may I pay tribute to all of the personnel of UNMIBH for their continuing dedication to the cause of peace in Bosnia and Herzegovina.

Mr. Ward (Jamaica): My delegation welcomes the presence of Senator Joseph Biden in the Security Council. His presence here today no doubt underscores his support for the United Nations and for improved relations between this invaluable Organization and the United States Government, in particular the United States Congress.

My delegation shares the views he expressed on issues related to peacekeeping and the need to ensure the credibility of United Nations peacekeeping operations. Jamaica fully supported the action taken by the Security Council in adopting the recommendations of the Brahimi report. We support the implementation of these recommendations.

As stated by Ambassador Levitte, an increase in the United Nations budget is a requirement for successfully implementing the Brahimi recommendations. At the same time, we must ensure that there is no reduction in development aid as additional resources are targeted to peace operations. We must recognize that this issue is one of major concern to the wider membership of the United Nations.

The report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH), which is before us, provides a clear overview of developments since the report of 2 June. My delegation supports the work of the United Nations Mission in Bosnia and Herzegovina and commends Mr. Jacques Paul Klein for his work as the Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. I thank him for his report and for his advocacy for peace in the region.

My delegation recognizes that while progress has been slow, much has been achieved in nation-building and in seeking to create a society based on peaceful multi-ethnic coexistence and multi-ethnic institutions. We continue to attach importance to the full implementation of the New York Declaration, which was adopted on 15 November 1999.

UNMIBH's comprehensive Mandate Implementation Plan provides a clear focus for the fulfilment of the Mission's mandate by the end of

2002. We hope that its implementation will be successfully completed. The Plan focuses on what we regard as the critical core areas of police reform, police restructuring, police and criminal justice cooperation, institution-building and inter-police-force cooperation, public awareness and general support for the participation of Bosnia and Herzegovina in the United Nations system, in particular United Nations peace operations.

Of fundamental importance is the fact that these programmes focus on various areas of law enforcement, particularly the individual police officer, organizational structures of the police force, and the required support for democratic policing. We commend the efforts of UNMIBH in establishing a law enforcement Registry and a police training programme aimed at raising basic standards of competence.

Police restructuring is another area in which we recognize that concerted efforts have been made to rationalize the size, structure and resources of the police force to bring it in line with international standards. The UNMIBH police commissioner project and the efforts made to change the ethnic composition of the police force must continue to receive priority attention. While we are cognizant of the challenges, these efforts must continue.

The entrenchment of the rule of law is contingent upon cooperation between the police and the criminal justice system. The judicial system assessment which was undertaken has been an invaluable avenue for examining some of the deficiencies in the legal and judicial system. These recommendations must be given serious consideration in order to find a remedy for some of the deficiencies in the system.

We are concerned about the absence of mechanisms for the protection of judges and witnesses, as this remains a major impediment to the full establishment of the rule of law. The lack of funding has served as a further impediment, and we hope that this will addressed in an expeditious manner. The same applies to the underfunded State Border Service, which is also of great importance to the stability of the region.

UNMIBH's programme, with its strong concentration on law and order and the justice system, two important pillars for the building of a democratic society, is important in the peace-building process in Bosnia and Herzegovina. We also attach importance to the joint activities of the United Nations system in Bosnia and Herzegovina. UNMIBH's collaboration with the United Nations Development Programme in mine action and with the Office of the United Nations High Commissioner for Human Rights in the area of trafficking in human beings is of extreme importance. This contributes to advances in a number of areas which will ultimately benefit the people of Bosnia and Herzegovina.

The role of UNMIBH in peace implementation and in assisting the parties to establish the foundations for peace is critical. Jamaica supports UNMIBH's work in helping to create the foundations of effective and sustainable democracy. We encourage UNMIBH to continue to work, in collaboration with the people of Bosnia and Herzegovina, to create a multi-ethnic society based on peaceful coexistence. The authorities and the people of Bosnia and Herzegovina have a major role to play in this regard, and we encourage them to do so.

Finally, recent democratic developments, particularly in Yugoslavia, have set the stage for regional stability. The international community must take advantage of these opportunities to advance the peace process in Bosnia and Herzegovina. The Security Council must continue its role in this process. Jamaica will continue to participate in any constructive effort in the Council to support this endeavour, and we urge the international community to respond to Mr. Klein's plea for the necessary resources.

Mr. Hasmy (Malaysia): Like other members, my delegation extends a warm welcome to United States Senator Joseph Biden and thanks him for his remarks.

We are gratified at the reiteration of the strong commitment of the United States to the United Nations and look forward to the resolution of the issue of the two scales on the basis of the necessary compromise and flexibility on the part of Member States, as well as on the basis of principles such as the capacity to pay. We are confident that, given the strong commitment of the United States towards the United Nations, which has been demonstrated in many areas of the work of the United Nations, including the important area of peacekeeping, an amicable solution is possible.

My delegation also welcomes Mr. Jacques Paul Klein, the Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina, back to the Council, and we thank him for his comprehensive, candid and

extremely useful briefing. My delegation is also grateful to the Secretary-General for his latest report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH).

Five years after the signing of the Dayton Accord, its implementation continues to required the sustained support and active engagement of the international community. We are gratified that much has been achieved during this period. The main pillars of international assistance in Bosnia and Herzegovina — namely the Stabilization Force (SFOR), the Office of the High Representative and UNMIBH — continue to play pivotal roles in their respective areas of the implementation of Dayton. We note that their work has not been easy and that progress in the peace implementation process has been frustratingly slow and difficult.

My delegation wishes to take this opportunity to affirm once again our full support for Mr. Klein's leadership and to commend the efforts of the Mission to further consolidate the development of the foundations of effective, democratic and sustainable law enforcement agencies in Bosnia and Herzegovina.

We note that some of the measures that UNMIBH has implemented through the targeted and more inclusive concept of operations have begun to bear fruit and that the Mission has made additional progress in many core mandate areas. In this regard, we fully support the development of a comprehensive Mandate Implementation Plan, which sets specific targets, projects and time-frames for the implementation of the six core programmes. We believe that it is a step in the right direction.

Clearly, as was stated by Mr. Klein, the success of the whole project depends very much on the provision of adequate resources and on the cooperation of the parties concerned. We earnestly hope that the urgent appeal of the Secretary-General to Member States to contribute to the funding of the priority projects of UNMIBH and to the Trust Fund for the Police Assistance Programme will be met. We would add that resources may be contingent upon the attitude of the parties to working with UNMIBH in the implementation of its mandate.

We regret that the continued political and administrative obstructions by certain quarters in some parts of UNMIBH's area of operation have been the main cause of delay in the work of the Mission. Political obstructionism and interference with the implementation of the peace process in Bosnia and Herzegovina cannot be tolerated. The cooperation and constructive role of political leaders are of paramount importance and without them the international community's efforts will not be successful. We will therefore not tire in urging the parties concerned to demonstrate their commitment and to cooperate with UNMIBH in the establishment of an effective, democratic and multi-ethnic police force and judiciary in Bosnia and Herzegovina.

The UNMIBH judicial system assessment programme (JSAP) has carried out important work that can contribute significantly to the ongoing efforts to reform the Bosnian judiciary. My delegation strongly supports the continuation of this work and underlines the need for concrete follow-up actions in this area. We therefore welcome the establishment of the Independent Judicial Commission, which will lead the implementation of the judicial reform programmes. We hope that the Commission will be able to start its work as soon as possible and we support the idea that UNMIBH will assist it even after the mandate of the JSAP has been completed. This will ensure continuity in the work of the JSAP and the Commission.

We are gratified that the Border Service has been consolidated and will soon be fully deployed. This, and the establishment and integration of multi-ethnic police in both entities — the Federation and Republika Srpska — must continue to be strongly pursued. We particularly note in this context the increased illegal migration and trafficking in human beings, which have become a major problem in Bosnia and Herzegovina. We believe that the full deployment of the State Border Service and increased cooperation between the two entities' police forces — such as through the Joint Entity Task Force — will have to address this problem.

We welcome the success of UNMIBH's project to form a Bosnia and Herzegovina police contingent for a United Nations peacekeeping operation and the subsequent deployment of 26 Bosnian police officers in East Timor. It is also encouraging that preparations are already under way for the establishment of a military peacekeeping contingent of Bosnia and Herzegovina for a similar purpose.

My delegation is also encouraged to see the recent increase in minority returns, which, according to rough estimates, are more than double the number of

such returns in the same period last year. We appreciate the contribution of the Office of the United Nations High Commissioner for Refugees in this regard. However, we note that the overall return process remains slow. Further determined efforts should therefore be made to promote the return process.

The refugee problem is, of course, at the heart of the existing insecurity situation, due to the absence of law and order and to political and administrative obstruction. This underscores the need for more robust efforts by the local police to help create a safe and secure environment, the provision of sufficient funding for the reconstruction of destroyed villages and the creation of employment and economic opportunities.

At the same time, political and administrative obstruction of the return process must be addressed effectively. We note with concern that the implementation of property legislation in certain areas, particularly in eastern Republika Srpska and the Croat-controlled municipalities of Herzegovina remains dismal, mainly due to political and administrative obstruction.

The continued emphasis on the reconciliation process must remain a high priority for international efforts in Bosnia and Herzegovina. The consequences of ethnic cleansing and crimes against humanity in the country must be addressed through justice. We reiterate the importance we attach to the work of the International Criminal Tribunal for the Former Yugoslavia in Bosnia and Herzegovina, which the international community should continue strongly to support.

In his report, the Secretary-General has highlighted the threats posed by the continued presence of war criminals and war crimes suspects not only to the peace process, but also to international personnel in Bosnia and Herzegovina. The arrest and prosecution of all indicted war criminals not only serve to mete out justice, but also contribute towards accomplishing the long-term goal of national reconciliation in Bosnia and Herzegovina. That is why my delegation has stressed time and again the importance of bringing to book the leading war criminals Karadzic and Mladic.

We also believe that the work being undertaken by the United Nations Educational, Scientific and Cultural Organization in the reconstruction of historic religious sites and the efforts of the High Representative and of the Special Representative of the Secretary-General to assist the families of the victims of the Srebrenica massacre will go a long way towards promoting reconciliation.

Mr. Kuchynski (Ukraine): I would like to join previous speakers in warmly welcoming Senator Biden and in thanking him for his encouraging remarks on future cooperation between the United States and the United Nations.

I would also like to thank Mr. Klein for his very comprehensive briefing. We welcome the report of the Secretary-General on this subject.

The day after tomorrow will mark five years since the signing in Paris of the General Framework Agreement for Peace, which, to a large extent, remains a blueprint for lasting peace and a better future for Bosnia and Herzegovina. Over the past years, the people of that country, assisted by the international community, has come a long way towards reconciliation, the creation of a common democratic State and economic reconstruction. Despite the undeniable positive changes in that country, much has yet to be done to ensure the realization of the goals set forth in Dayton and Paris.

My country is of the view that the United Nations Mission in Bosnia and Herzegovina (UNMIBH) continues to make a vital contribution to the overall efforts of the people of Bosnia and the international community aimed at the full implementation of the Dayton/Paris Peace Accords. Against this background, my delegation remains supportive of the activities of the Mission, conducted jointly with other bodies and agencies of the United Nations system on the ground.

We recognize the special role of the International Police Task Force (IPTF) as the core part of the Mission in establishing effective law enforcement agencies in accordance with the best international standards. The professionalism of the IPTF staff, who continue to discharge their mandate under the difficult circumstances of the reduction of the authorized strength, which is mainly due to the additional requirements for Kosovo, should be acknowledged.

My delegation is satisfied with the results of the Mission's activities for the past six months and commends Mr. Klein and his staff for a number of important achievements made over this period. Specifically, we welcome the elaboration of a comprehensive Mandate Implementation Plan with a

proposed timetable of December 2002 for the completion of the core mandate of UNMIBH. In our view, the division of the Mission's work into six core programmes is a correct and efficient approach to accomplishing the existing mandate.

In the context of the police reform, we recognize the importance of the United Nations Mission project on the establishment of a transparent Law Enforcement Personnel Registry, and encourage it to pursue its efforts in this direction. As regards the police restructuring, of particular significance in our view are all steps by the United Nations Mission to change the ethnic composition of the police forces in the country so that they better reflect the society they serve and are of a multi-ethnic character.

In the field of cooperation between the police and the criminal justice system, my delegation believes that more attention should be paid by the Mission to the establishment of a court police service in order to provide adequate court and judicial security, as well as mechanisms for the protection of judges and witnesses.

My country is concerned at the increase in illegal migration and human trafficking through Bosnia and Herzegovina. This problem can be addressed through the expansion of the State Border Service, provided there is sufficient funding. We note the support provided to Bosnia and Herzegovina in this regard by the international donors, and encourage them to continue their contributions.

My delegation views also as a real achievement the deployment in East Timor of the first United Nations civilian police contingent from Bosnia and Herzegovina.

In conclusion, let me say a few words about the general situation in Bosnia and Herzegovina in a broader context. We share the view that Bosnia and Herzegovina today is at an important crossroads in its history, five years since Dayton and after the third general elections, held on 11 November, the first in a new political environment brought about by the positive democratic changes in Croatia and Yugoslavia.

In these conditions, it is critically important for the new leaders of Bosnia and Herzegovina to, so to speak, catch the winds of change and set the country on the right course for its future in Europe — to become a part of all regional processes of Euro-integration and to have its bilateral relations with its neighbours normalized. In this respect, we welcome the Declaration of the European Union-Western Balkans Summit held recently in Zagreb.

My country is encouraged by the decision of the Bosnia and Herzegovina Presidency to establish diplomatic relations with the Federal Republic of Yugoslavia. This decision is obviously an important step towards reaching the objectives of the Dayton Agreement and strengthening the democratic changes in Yugoslavia. We also note with satisfaction the further development of constructive bilateral relations between Croatia and Bosnia and Herzegovina on the basis of their commitments to the fulfilment of the Dayton Accords, mutual respect for sovereignty and territorial integrity.

For its part, the international community, with the United Nations Mission at the forefront, should continue its assistance to the people of Bosnia to create and assume their full responsibility for their own sovereign and multi-ethnic State. As an IPTF contributor and member of the Peace Implementation Council, Ukraine remains fully committed to that task.

Mr. Heinbecker (Canada) *(spoke in French)*: Canada is pleased to welcome Ambassador Klein to the Security Council today. We thank him for his briefing and for his excellent contribution to Bosnia and Herzegovina since his last report on 2 June. In particular, we are encouraged by his efforts in the areas of police reform, police restructuring and cooperation between the police and the judiciary, as well as with regard to the State Border Service.

(spoke in English)

We particularly want to express our appreciation to the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for its contribution to judicial reform through its now concluded judicial system assessment programme (JSAP).

We commend the preparations Ambassador Klein is making for the fulfilment of the United Nations mandate by December 2002. We are mindful of the Dutch observation that there can be no exit without strategy. At the same time, we recognize that the successful conclusion of a mission is often the least glamorous but most difficult part of an operation.

Of course, the need for international technical assistance will not end with the United Nations Mission, even if it can be concluded in two years' time.

We count on the Organization for Security and Cooperation in Europe and the North Atlantic Treaty Organization to continue to assist in getting Bosnia and Herzegovina irrevocably on the road to normalcy and membership in the European Union. As current commanders of Sector Southwest, we are particularly aware of the importance of continuing peacekeeping operations in Bosnia and Herzegovina.

We commend the United Nations Mission's success, particularly in making the police an example to their communities. Two specific examples are the vacating by police of illegally occupied properties and the inclusion of minority officers; 225 minority recruits have graduated thus far and 321 are in training. These steps enable the police to reflect their communities — the sine qua non of their credibility — and to encourage people to return.

We will continue to support the work of the International Police Task Force (IPTF), and bilaterally continue our contribution to the common effort through programmes such as our Royal Canadian Mounted Police (RCMP) police training assistance programme.

Finally, on the issue of Bosnia and Herzegovina, I second what the Malaysian Permanent Representative said with respect to bringing war criminals to justice. There will be no closure in Bosnia and Herzegovina until these war criminals — Mladic, Karadzic and their supporters in Bosnia and Herzegovina and elsewhere in the Balkans — are brought to justice in The Hague.

Senator Biden, I would also like to address some comments to you. You can see that I have a lot of paper here — I have two different speeches.

Like every Canadian, I am a student of United States politics. It is necessary for us; it is part of our survival strategy. We realize that you are and have been for a long time an ally of the United Nations and the reform effort here. We paid particular attention to your welcome remarks on the regular budget and the peacekeeping scale, and I noted them down, particularly the words regarding a two-way street: the United States will pay its arrears in exchange for United Nations reform.

Regarding your concern that United Nations reform efforts may fail, we think that the Helms-Biden legislation was an important step forward, and the United States is recognizing its legal and financial obligations to the United Nations. All of us around this table want reform. Some of us would have preferred a less arbitrary and a less unilateral approach to the way in which this reform effort was handled by the United States, but we regard it as a step forward.

On the scales issue, Canada is prepared to be helpful and to look at all proposals on their merit. I have been speaking with Mr. Holbrooke on this issue. He has been meeting around the clock, as far as I can tell. I think that success is possible and that reform is possible.

We appreciate in this regard the United States increase in its voluntary contributions to the United Nations system. For those among us who are looking for something that they can tell their own legislators and their own taxpayers about why we should go along with a proposal which, on the face of it, is not fair, the answer is surely in the argument made by the United States delegation — that, in fact, one should look not at what the United States must pay, but at what the United States voluntarily pays, and take comfort from that significant difference.

While, as I said, Canada is prepared to participate constructively, we do not accept, however, a unilateral decision to write off unpaid arrears. Fifty cents on the dollar will not work. We believe that it is important for the United States to state clearly that it intends to pay its arrears in full, and I was very much encouraged in that sense by the comment that was made at the outset.

I should also like to add a word on the Brahimi report to support the sentiment expressed. We in Canada believe reform of the peacekeeping operations is probably the most important thing that can be done in the United Nations in the months ahead, and, in fact, it is probably decisive to the future viability, in some important sense, of this Organization.

Not all countries see it in that light. Not all countries see the same need for reform that we do, but like you, we do not believe that there is a trade-off between development and peace and security. If anything, we think that the relationship is the reverse.

We also do not think that it is necessary to choose between those countries that stress development and those countries that have a need for security. Both of those issues have to be taken care of. There is no trade-off there to be made.

We particularly think that some deep thought needs to be given to the idea of peacekeeping reform.

The current system is a recipe for failure. I recognize that the North Atlantic Treaty Organization (NATO) is not a model to be held up in these precincts, but there are one or two things that NATO does very well when it decides to dispatch forces abroad: it makes no distinction around the table between those who are contributing troops and those who are in the equivalent of the Security Council, because in fact they are the same people. It is just not conceivable that troops would be dispatched abroad by a Council which was independent from, and unattached to, those who were contributing troops. We have to think hard how to correct that situation in this Organization. The troop-contributing countries have a serious complaint, and that needs to be addressed. We need to think again about how this is done.

I am mindful that in the abortive Zaire intervention that Canada was to head in 1996, we made a great effort to try to create a political oversight committee which was going to comprise troop-contributing countries and Security Council members to the extent that they were not the same, and they were not always the same. I am not sure what happened to that idea, but I note that I do not see it actually functioning in Sierra Leone or with respect to the Congo, Ethiopia/Eritrea or even East Timor.

There needs to be a way whereby troop-contributing countries participate in the decision to send forces abroad, in the conduct of the operations involving those forces abroad and in the political and military guidance that the commanders get in the field. I think that until we actually deal with that issue in a constructive and innovative way, we are going to continue to have difficulties between troop contributors sitting in one room down the hall and Security Council members in another.

Mr. Ouane (Mali) *(spoke in French)*: I also wish to warmly welcome Senator Biden to this Security Council meeting. I took note of and appreciate the fact that today, as in January, when the members of the Security Council visited the Senate, Senator Biden echoed the concerns that we all share.

On the situation in Bosnia and Herzegovina, I wish to make the following brief comments.

First, my delegation highly appreciates the report of the Secretary-General of 30 November. I also wish to thank Mr. Jacques Paul Klein, Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, for his complementary and very detailed statement.

Secondly, my delegation highly appreciates the progress made by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) with a view to building a modern, democratic, tolerant society in that country as mentioned by all the speakers following Mr. Klein's presentation. I want to commend the positive contribution made by the United Nations Mission to implement peace in Bosnia and Herzegovina.

In this respect, my delegation is pleased at the establishment of effective, democratic and lasting institutions. Likewise, we welcome the remarkable and resolute work of the International Police Task Force. Along the same lines, we are pleased at the presence of the Stabilization Force (SFOR).

Thirdly, the considerable progress made deserves to be consolidated. In this connection, we invite the international community to continue to provide financial support to UNMIBH until the expiration of its mandate in December 2002.

Fourthly, I wish to comment on the prospects of the region at large. In this respect, we are pleased with the climate of detente that now prevails in that region following the historic changes in the Federal Republic of Yugoslavia and the changes in Croatia at the beginning of this year. We invite the parties to avail themselves of this improvement in order to establish strong relations of confidence, and we hope that the recent visit of President Kōstunica to Sarajevo will have contributed to the establishment of such relations.

Mr. Theron (Namibia): My delegation is grateful to you, Mr. President, for convening this important meeting. Like others, we also welcome the presence of Senator Biden and thank him for sharing his Government's views on the two scales of assessment. I would also like to thank the Secretary-General for providing us with his comprehensive report on the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and Mr. Jacques Paul Klein, Special Representative, for his timely briefing.

Namibia continues to support the implementation of the peace process in Bosnia and Herzegovina. In this regard, we note with appreciation that all UNMIBH units have participated energetically in the development of a comprehensive Mandate Implementation Plan, which provides a clear focus for

the fulfilment of the core mandate by the end of 2002. We indeed understand that this Plan provides a road map for the implementation process rather than establishing fixed targets.

Today, we are encouraged to learn from the Special Representative that much has been achieved in the rebuilding of Bosnia and Herzegovina. We also note, however, that many challenges remain.

My delegation has been following with keen interest the core programmes, in particular police reform and police restructuring, as well as the cooperation between the police and the criminal justice system. Although we understand the problems involved, the slow pace of judicial reform has been of concern to us. I refer, for example, to the absence of a mechanism to protect judges and witnesses in an environment where organized crime and corruption undermine the rule of law. All these problems require the continued presence and assistance of the international community in Bosnia and Herzegovina.

In conclusion, I would like to express my delegation's appreciation to the personnel of UNMIBH, the International Police Task Force (IPTF) and other international institutions for their hard work and dedication to the cause of building a multiracial and democratic Bosnia and Herzegovina.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

I am grateful to the Special Representative of the Secretary-General and head of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), Jacques Paul Klein, for his comprehensive briefing. It is important that, despite the notable progress in UNMIBH's activities, he focused not on the success story, but on the problems that remain in implementing the Dayton and Paris Agreements. I welcome this businesslike approach to the subject. He is a good example to other Special Representatives in other United Nations operations, including in the Balkans, who are trying to conceal their problems and mistakes and who describe the entire situation through rose-coloured glasses, despite the well-known facts. Fortunately, we hope that the period of assignment of those who cannot or do not want to discharge the Security Council's mandates will soon end.

We thank the Secretary-General for his report, which on the whole objectively reflects the implementation of the Mission's important mandate. Its interim outcome is encouraging, particularly in the context of the rather modest successes of the collective efforts of other institutions to provide real stability in Bosnia and in each of its entities. We note the effective actions of the national police forces in keeping order during the November elections.

We commend the activities of Mr. Klein's Mission, which seek to focus the efforts of its personnel on discharging the Mission's core mandate by the end of 2002. We also agree with the recommendation in the Secretary-General's report that the strength of the International Police Task Force (IPTF) be reduced for the period 2001-2002 to 1,850 personnel.

I agree with my colleagues' view that the basic component for stability in Bosnia and Herzegovina is the Dayton Peace Agreement, which takes into account the different, at times, conflicting interests of the three Bosnian peoples and neighbouring States, primarily Yugoslavia and Croatia. Dayton laid the foundation of Bosnian statehood on the basis of the existing two equal entities and the three peoples emerging into statehood. We believe that any arbitrary interpretation of the mandate of the international structures is inadmissible. Any revision of the Dayton Agreement will inevitably lead to upsetting the balance of interests. This could lead to new tension in Bosnia and beyond its borders.

We are convinced that only by basing ourselves firmly on the Dayton Agreement, Security Council resolutions and other international documents to settle the situation in Bosnia and Herzegovina can we move forward. Only on this basis can we carry out the task of strengthening multi-ethnic statehood there, observing the rights of all peoples in Bosnia and achieving real reconciliation and post-conflict peace-building.

Until all these tasks have been done, the international community has no right to be complacent. It is important to ensure that the leading political forces of Bosnia and Herzegovina shoulder their responsibility for their country's fate and for resolving the remaining problems, as they undertook to do in the New York Declaration, which was adopted by the joint Presidency of Bosnia and Herzegovina. We also call upon them to improve cooperation between the two

entities, and cooperation not only between each other within the general Bosnia and Herzegovina organs, but also with international structures in the country.

With regard to the work of the International Tribunal for the Former Yugoslavia, I wish once again to reaffirm our position. We must eliminate politicization and short-term expediency from its work and bring its activities into strict compliance with the Tribunal's status and the decisions of the Security Council. We must end the practice, which goes beyond the mandate of the Stabilization Force in Bosnia and Herzegovina, of using force to track down indictees on the basis of so-called sealed indictments of the Tribunal. We look forward to Council members' having a text of the so-called secret agreement between the Tribunal and the North Atlantic Treaty Organization (NATO). Carla del Ponte, the Prosecutor of the Tribunal, decided recently to state publicly that the agreement did not exist. But we all know, as she does, that she was not telling the truth. A judiciary has to be based on the truth. It is time to review the Tribunal's activities in general, in the light of the basically new situation that is emerging in the region, in keeping with the Russian proposals. Those proposals are well known, and we will continue to discuss them.

The latest events in the Federal Republic of Yugoslavia will have a positive impact on the situation in Bosnia. I am certain that an added impetus to this positive process will be given by the establishment of diplomatic relations between Bosnia and Herzegovina and the Federal Republic of Yugoslavia, as well as by the statement of the President of Yugoslavia, Mr. Koštunica, regarding his commitment to the Dayton Peace Agreement.

For its part, Russia will make a constructive contribution to resolving the remaining problems on the Bosnian settlement agenda and towards the establishment of Bosnia and Herzegovina as a unified multi-ethnic and democratic State.

I also wish to state that the entire history of peacekeeping efforts in Bosnia reflects a number of general problems that must be discussed within the context of United Nations peacekeeping activities as a whole. Eliminating these problems is the focus of the Brahimi report (S/2000/809), which the Russian Federation supports.

It is also clear that, in order to enhance the effectiveness of United Nations peacekeeping operations, we need a solid financial basis for it. In this context, we attach particular importance to efforts being made to reach agreement on reform of the scale of assessments. We have already had an opportunity to welcome Senator Biden, who set forth the United States approach to this problem and pointed out some specific features inherent to that approach with regard to the position of the United States Administration on the one hand and various viewpoints in Congress on the other hand.

The Russian Federation has adopted and will continue to adopt a constructive position in its approach to reform of the scale of assessments, including, of course, the scale of assessments for peacekeeping operations. We support the need for a generally acceptable reform of the scale, and shall fully assume our particular responsibility in this matter as a permanent member of the Security Council. The final outcome of talks on the matter, which we hope can be achieved next week, can only be a compromise based on the various positions of all the people involved in the negotiations. Russia will be prepared to take this step forward, and we expect others to take this step also.

I have completed my statement as representative of the Russian Federation, and resume my functions as President of the Council.

Would any Council members like to make a follow-up statement at this stage?

Mr. Biden (United States of America): I appreciate your indulgence, Mr. President, in allowing me to trespass more on your time, if not your patience. I also truly appreciate the candour with which all the members of the Security Council have spoken today.

I would like, in my capacity as a member of the Foreign Relations Committee and on behalf of Senator Helms, to re-issue the invitation, to which the representative of Mali made reference, to come to Washington again. We hope the Security Council would be willing to do that. It is an open invitation. We learned a great deal from the Council's presence, and members were very, very helpful to those of us in the United States Senate who are very supportive of the United Nations in making the case — a case that is obvious on its face to all members of the Council but that is less than obvious to some of my colleagues — as to why the United Nations is such an important body, particularly as it relates to the United States and

from the United States perspective. I hope members will be willing to come back. This is my second trip here in about 12 months — plus the Council's trip to Washington.

I want also to thank Council members for their collective understanding of our position. As I said once before, I apologize for having to play out before the Council our internal dilemma as it relates to our commitment to the United Nations — and that is a binding commitment and a lasting commitment. Nonetheless, there have been some bumps in the road in terms of our internal domestic politics. I also want to thank members for their statements regarding a willingness to be flexible. I assure them that I for one am inclined to be, and desire to be, very flexible.

I want Ambassador Levitte, along with the representatives of the United Kingdom and of the Netherlands, to understand that I fully appreciate the contribution of the European Union not only to the United Nations, but also to the Balkans in general and to Bosnia and Herzegovina in particular. It would be presumptuous of me to do this, but if Ambassador Levitte would like, I could send him copies of some of my floor speeches in the United States Senate making the case that the European Union is carrying the bulk of the responsibility on the ground, and economically as well. We appreciate the recognition and understanding expressed in the statements of France, the United Kingdom and the Netherlands that this may be necessary in the light of the proximity of the problem to their interests.

We also understand the burden that has been imposed — a burden that is not often recognized in the United States; we focus on our own burdens, as every country tends to do — as a consequence of the significant number of refugees that have flooded into Germany, France and many other European nations. I want to assure members that I appreciate and understand, and my Government appreciates and understands, that the bulk of the commitment is being made by the European Union.

We also want to thank those, including the representative of China and the President in his capacity as the representative of the Russian Federation, who spoke of a desire and willingness to be flexible regarding the scale of assessments. I am confident of one thing: that if there is any significant reform, there will be a significant increase in the prospect that the United States Government, and the United States Congress in particular, will not only meet its obligations, but will understand that its future lies in increasing its voluntary commitment.

I thank our Canadian friend. I am a student of Canadian politics. Both my sons are with me today. Both of them are practising lawyers, and I might add that one of them is about to commit to six months to a year in Pristina with the United States Department of Justice. Not only do we watch Canada and consider it a great friend and neighbour, but I am quick to say that my sons, on their mother's side, are related to a number of Canadians. So I appreciate the distinction made by the representative of Canada between what we are bound to do and what we voluntarily do. We appreciate that very much.

With regard to the comments made that the United States should not act unilaterally, should pay its bills in full and should not make contributions contingent on reform, I would suggest that we want both to pay our fair share and to work with others on meaningful reform. Again, as I said, I am technically speaking for my Government now, but one thing I do not do is speak for the United States Congress. There is no living human being capable of doing that; the Lord Almighty would have difficulty today. And with a 50-50 split in the United States Senate about to take place, as my grandfather would say, with the grace of God and the goodwill of the neighbours, we may very well be able to reach some consensus on these issues in our Congress. But we want to do both: we want to participate in meaningful reform and we want to pay our fair share.

In terms of the contributions to United Nations expenses being based on the ability to pay, I would suggest that an international organization of the consequence of this one cannot fully meet its potential without everyone in the organization having a significant investment in it based upon their capacity and capability; I would argue that gross domestic product is not the only basis upon which to determine that. I know that the representative of France, in his previous capacity, has heard all those discussions of the views of the United States about additional burdens it undertakes in our collective interest. I will not repeat any of them because it would be inappropriate, but will only say that we appreciate the comments relating to flexibility. I for one and, I know, my Government are

also prepared to be flexible, although I cannot speak for the entire United States Congress.

I would like to make one other point before I really do trespass on members' patience too much. I was impressed by the comments made by the representatives of Argentina, Bangladesh, Canada, Jamaica, Malaysia, Tunisia and Ukraine: all of them spoke to the report of Jacques Paul Klein. Three things impressed me very much. One was their appreciation of the report; the second was the fact that there seemed to be an overwhelming consensus that it accurately reflected what was happening on the ground; and the third was that they all seemed to suggest something that my Government feels very strongly: that there is a need for more patience, that progress has been made but that much more needs to be made, and that there must be a commitment to the practical requirements of implementing Dayton — that is, having a police force that is not corrupt and is capable; having a court system that functions; and having war criminals indicted and brought to trial. With one or two exceptions on the last point, there seems to be a pretty wide consensus here, expressed very cogently by my friend from Jamaica.

I quite frankly wish that all my colleagues in the United States Congress could have heard all members' comments and replies to Mr. Klein. One of the things that my Administration and I have been counselling our colleagues in the United States Congress is patience. We have come a long way. This is an incredible opportunity to do something that has not been done in the history of the modern nation-State in Europe: to integrate the Balkans fully within Europe. It is the ultimate solution. It is painful; it is timely. We understand, again, that most of the pain is being borne by our European friends. We understand that most of the obligation is being borne by our European friends.

I can assure members, as one member of the United States Senate and Congress — and as a senior member with some little bit of influence in that small pond called the Senate — that I believe that we will maintain United States commitment, and that we will maintain, along with the Council, patience to bring to fruition what is ultimately necessary. As a friend of mine, a local politician in my home state who has no knowledge of international affairs, said to me, "Joe, if the water does not flow because the public works commissioner is not in place, if the traffic lights do not function, and if you cannot arrest a man for beating his wife or stealing from the local shop-owner, you can have no government in place". These are very, very basic functional requirements to put in place when we separate all the high-minded rhetoric that we all utter about peace and security in the Balkans.

I want, on behalf of my Government, to thank Jacques Klein for what he has done.

I would end with a caution: I would not make any commitment that we will be out by 2002. We must stay as long as is required, because it may not be possible to go back and try to fix what would be more broken if we left, at least within the timeframe of my career. And I would like to see this end nobly within the timeframe of my career — which, if I speak much longer, will be very much foreshortened.

I thank the President and all members for their indulgence. Flexibility will be the word that I take from here and that I make sure that my colleagues understand full well.

The President (*spoke in Russian*): If no Council member wishes to take the floor at this stage, I would like to give the floor to the representative of Bosnia and Herzegovina.

Mr. Prica (Bosnia and Herzegovina): First of all, I would like to thank Mr. Jacques Paul Klein and the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for the efforts they have made and their commitment to strengthening civil society and lasting peace in Bosnia and Herzegovina. Five years after Dayton, we have seen tremendous improvements in all aspects of life in Bosnia and Herzegovina. I would especially like to emphasize the huge success in restructuring the local police, as well as the reform of the judicial system, which is on the right track. A significant number of minority returnees have also been registered across the board.

For Bosnia and Herzegovina, the main task is, of course, the creation of a self-sustaining economy, and we expect the help of international community experts to continue to contribute to the changes in our economic legislation that we desperately need. Furthermore — and here I feel very strongly — I am pleased to express our appreciation for the very positive and extremely important changes that we have seen in Belgrade in recent weeks. Of course, the changes that took place in Zagreb a year ago are also very welcome. These changes are of paramount importance for Bosnia and Herzegovina and the region

as a whole. The issues that are crucial for our region are the commitment of all States, respect for internationally recognized borders and the full implementation of the Dayton Peace Agreement, written and signed five years ago, as well as of resolution 1244 (1999). We are also sure now that the issue of the succession of the former Socialist Federal Republic of Yugoslavia will be resolved within a reasonable period of time, for the benefit of all.

I was also very pleased to see Senator Biden, a member of the United States Senate, here in the Security Council today. As a representative of the State that benefited greatly from the help of the United Nations, I should like to take this opportunity to express the hope of our people that a final agreement among Member States regarding financial contributions, the regular budget and the scale of assessments of the United Nations will finally be reached.

I would like to express my regret that the Ambassador of Bosnia and Herzegovina, Mr. Muhamed Sacirbey, is leaving his post. I have had excellent cooperative relations with him since I came to the Mission of Bosnia and Herzegovina earlier this year. Unfortunately, he was unable to come to the Council today.

Finally, I would again like to thank Mr. Klein for his work in UNMIBH, as well as the members of the Security Council and the international community as a whole for all their sincere efforts made for the sake of lasting peace and prosperity in Bosnia and Herzegovina and the region.

The President (*spoke in Russian*): No questions were addressed to Mr. Klein during the discussion, but he would like to make some concluding comments.

Mr. Klein: I should like to thank members for their generous comments, which I will relay to my colleagues in the Mission. I can assure the Council that they will be very much appreciated.

We heard a little this morning about the past record of the United Nations in Bosnia and Herzegovina and that at times we have been weighed in the balance and found wanting; that is certainly true. When the Secretary-General appointed me, he gave me one very strong directive: to rebuild the reputation of the United Nations. I thoroughly support the observations made here today by some members about how much can be done when all the members of this Council work together on the ground. Five years ago, the reputation was somewhat in tatters. Today, working together, we are respected, and we can, I think, use to great effect the unique moral and legal force of the United Nations Charter and the political neutrality of representing the nations of the world and the values they hold in common.

Having now led two United Nations missions — the first was in Eastern Slavonia, Baranja and Western Sirmium — I must tell members that the Council defines the success or failure of missions. It does so by the mandate it gives us, the resources it provides and the leadership it ultimately appoints. As I said earlier, we have a Mission that includes 93 nationalities — they represent half of the nations of the United Nations. Some 46 nations are represented in the International Police Task Force. It can be done when the Council gives us the clear guidance that we need. At the same time, I am reminded of an old proverb that my Alsatian grandmother taught me: if you start out without knowing where you are going, you are probably going to wind up somewhere else. So the Council's guidance is always essential.

In his history of civilization, the great historian Arnold Toynbee wrote that every nation, every people — indeed, every institution — has an agenda, either conscious or unconscious. Those who do not have an agenda become the victim of other people's agendas. I hope that the Council will define the agenda. Let it be the collective voice of the Council, on behalf of the international community, that defines the agenda.

The President (*spoke in Russian*): There are no further speakers on my list.

The Security Council has concluded this stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.